



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 29 2008

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested

Certified Mail #7004-1160-0002-3622-7151

In Reply Refer To:

EPA File No. 06R-06-R4

[REDACTED]
P.O. Box 20781
Clarksville, TN 37042

Re: Rejection of Administrative Complaint

Dear Ms. [REDACTED]:

This letter is in reference to your administrative complaint received by the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) on June 23, 2006. Your complaint alleges that the City of Clarksville and the Tennessee Department of Environmental Conservation (TDEC) have violated Title VI of the Civil Rights Act of 1964, as amended (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and EPA's nondiscrimination regulations found at 40 C.F.R. Part 7. Since your allegations do not meet EPA's jurisdictional requirements for acceptance, OCR will not investigate your complaint.

Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, the complaint must be in writing. Second, the complaint must describe an alleged discriminatory act that violates EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, or disability). Third, the complaint must be filed within 180 calendar days of the alleged discriminatory act. Finally, the complaint must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act.

Your complaint requests that EPA investigate the City of Clarksville and TDEC regarding the civil rights lawsuits and Title VI complaints filed against the City. On January 10, 2008, OCR sent you a *Request for Clarification* letter asking for additional information necessary to determine whether we have the authority to investigate your

complaint. The letter requested a description of the alleged discriminatory acts taken by the City of Clarksville and TDEC which you believe violated EPA's nondiscrimination regulations, and the dates(s) each act occurred. The letter also requested that the information be provided to OCR within 15 calendar days of its receipt. To date, OCR has not received a response from you. Therefore, OCR must reject your complaint for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulations.

If you have any questions regarding this letter, please contact Ms. Karen Randolph of the OCR External Compliance Program by telephone at (202)343-9679, via electronic mail at Randolph.Karen@epa.gov, or by mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-1000.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen D. Higginbotham", with a long horizontal flourish extending to the right.

Karen D. Higginbotham
Director

cc: Stephen Pressman, Associate General Counsel
Civil Rights Finance & Law Office (MC 2399A)

Nancy Tommelleo, Title VI Coordinator
EPA Region 4